



PATENT  
Customer No. 22,852  
Attorney Docket No. 06530.0317

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                 |   |                        |
|---------------------------------|---|------------------------|
| In re Application of:           | ) |                        |
|                                 | ) |                        |
| Malka BERNDT                    | ) | Group Art Unit: 3739   |
|                                 | ) |                        |
| Application No.: 10/720,190     | ) | Examiner: TOY, ALEX B  |
|                                 | ) |                        |
| Filed: November 25, 2003        | ) |                        |
|                                 | ) |                        |
| For: MEDICAL DEVICE WITH VISUAL | ) | Confirmation No.: 4220 |
| INDICATOR AND RELATED           | ) |                        |
| METHODS OF USE                  | ) |                        |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

The Examiner made various characterizations and assertions about the claims and the related prior art in the Statement of Reasons for Allowance, for example, on page 2 of the Notice of Allowability mailed March 27, 2007. Although Applicant agrees with the Examiner's ultimate conclusions that the claims are patentable because the prior art does not teach or suggest the claimed features set forth in the claims, Applicant does not necessarily agree with each or every characterization and assertion contained in the Examiner's statement.

Furthermore, it is understood that the Examiner's characterizations were for purposes of referring to the prior art, and do not imply that the claims are limited by words not actually present in the claims. Therefore, unless expressly noted otherwise,

Applicant declines to subscribe to any statement or characterization contained in the Notice of Allowability and its accompanying Reasons for Allowance.


Should the Examiner disagree with the Applicant's comments on the Reasons for Allowance, the Examiner is invited to contact the undersigned in order to resolve such disagreement.

If there is any additional fee due in connection with these Comments, please charge to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 12, 2007

By:   
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Michael W. Kim  
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